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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/802,701

03/17/2004

Christopher W. Blackburn

1842.029US1

3790

70648

7590

08/22/2008

SCHWEGMAN, LUNDBERG & WOESSNER/WMS GAMING

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EXAMINER

PINHEIRO, JASON PAUL

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

08/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/802,701	Applicant(s) BLACKBURN ET AL.	
	Examiner JASON PINHEIRO	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,11-20 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,11-20 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/14/2008 & 08/14/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. After the amendment filed on 05/14/2008, claims 1-5, 7, 11-20 and 24 are pending.

Claim Rejections - 35 USC § 103

2. Claims 1-24 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Gatto et al (US 6916247) in view of Abrams, JR. et al (US 2003/0208638) and Hendrickson (US 2004/0087367).

Gatto '247 discloses a method and system for providing a service in a gaming network including gaming machines (Col. 2, Lines 37-45); publishing the availability of the service on the gaming network (Col. 13, Lines 64-67) (Fig. 19); discovering by a client the availability of the service (Col. 14, Lines 2-5) (Fig. 20); processing one or more service requests between the client and the time service (Col. 14, Lines 21-24), said service requests conforming to an internetworking protocol (Col. 15, Lines 9-13); that the service comprises a web service (Col. 15, Lines 49-56); that the service request is formatted according to a service description language, that the service description language is a Web Services Description Language (WSDL), that the service is registered in a UDDI registry (Col. 15, Lines 33-67); registering by the time service with a discovery agent (Col. 13, Lines 60-67); that the service is a local service in the gaming network (Col. 14, Lines 33-55); that the service is provided at a well known location, the well known location comprises a TCP/IP address and port

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(Col. 3, Lines 20-24); that the well known location comprises a message queue (Col. 15, Lines 63-67); that the client comprises a gaming machine on the gaming network (Col. 2, Lines 37-45); and that the client comprises a service provider on the gaming network (Col. 2, Lines 37-45); determining by the discovery agent if the time service is authentic and authorized (Col. 2, Lines 59-61; Col. 8, Lines 61-64; Col. 10, Lines 55-63; Col. 13, Lines 8-22); and a web service (Col. 15, Lines 50-56; Col. 16, Lines 15-22). However, Gatto does not disclose that the service is a time service; returning a current time to the service provider; acquiring by the time service a current time from a time server, a wager at the gaming machine of the plurality of gaming machines causes a depicting indicia representative of a randomly selected outcome of a wagering game.

Abrams '638 does disclose that the service is a time service, returning a current time to the service provider, and acquiring by the time service a current time from a time server (paragraph [0152]).

Hendrickson discloses a service for storing data from a plurality of gaming machines, wherein a wager at a gaming machine of the plurality of gaming machines causes a depicting indicia representative of a randomly selected outcome of a wagering game (Fig. 1; paragraph [0030]).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the time service as disclosed by Abrams, Jr. and displaying indicia representative of the outcome of a wagering game as taught by Hendrickson into the gaming system as disclosed by Gatto in order to create a

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more reliable and secure network gaming system. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions and the combination would have yielded predictable results to one skilled in the art at the time of the invention.

Regarding the additional amendments of “sending service information”, “publishing service information to a service repository”, receiving a request “for the location of the time service”, “returning the service information for the time service”, and “using the service information for the time service”, it is disclosed in Gatto et al. of the use of Web Services using XML, SOAP, WSDL, and UDDI. Web services using these standardized technologies are well known in the art to implement the methods of publishing, discovering, and binding in order to supply the services to the clients. The UDDI registries include the locations of the service providers.

Response to Arguments

3. Applicant's arguments, see Remarks filed 05/14/2008, with respect to the rejection(s) of claim(s) 1 and 15 under 35 USC § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of a different interpretation of the previously applied reference as disclosed above.

4. In response to applicant's argument that the examiner has combined an excessive number of references, reliance on a large number of references in a rejection

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does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON PINHEIRO whose telephone number is (571)270-1350. The examiner can normally be reached on M - F 8:00 AM - 4 PM;.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

/J. P./
Examiner, Art Unit 3714